

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VS.

MISC. CAUSE NO. _____

MATTHEW KINNE

DEFENDANT

ORDER OF RECUSAL

This matter is before the Court *sua sponte*, upon it being reported to the Court by the victim's rights coordinator with the District Attorney's Office that members of the victim's family have requested (or made demand) that the undersigned judge "get off this case."

It is unusual, to say the least, that family members of crime victims (who are themselves crime victims) would seek removal of a presiding judge. However, when a family member is violently killed, relatives and loved ones should not necessarily be expected to behave rationally. Statements made to the media – whether motivated by grief, anger, fear, confusion, or ignorance – are repeated by the media. Then those statements meld their way into and through social media, where they then apparently are often considered to be facts. Thereafter, public confusion or misunderstanding has an actual, genuine risk of impacting fairness at trial.

To the extent that any of these things may cause the focus of the legal proceedings to shift away from the facts and the law, and to the presiding judge, and have the potential of negatively impacting fairness, a solution may be rendered when the presiding judge steps aside.

It is for these reasons that the undersigned judge recuses himself from any further

FILE THIS THE 23rd DAY OF May, 2019
MINUTE BOOK CMB-01 PAGE _____
BARETTA MOSLEY, CIRCUIT CLERK
BY _____ D.C.

proceeding related to this case.

The Clerk of this Court shall furnish a copy of this Order to all attorneys of record.

SO ORDERED AND ADJUDGED, this the 23rd DAY OF May, 2019.



ANDREW K. HOWORTH
CIRCUIT COURT JUDGE